

SINNOTT, PUEBLA, CAMPAGNE & CURET, APLC
555 MONTGOMERY STREET, SUITE 720
SAN FRANCISCO, CALIFORNIA 94111-3910
TEL (415) 352-6200 • FAX (415) 352-6224

SINNOTT, PUEBLA, CAMPAGNE & CURET, APLC
Blaise S. Curet, #124983
555 Montgomery Street, Suite 720
San Francisco, California 94111-3910
Tel.: (415) 352-6200; Fax: (415) 352-6224

Attorneys for Defendants and Cross-Claimants
Steadfast Insurance Company, Northern
Insurance Company of New York, and
Zurich American Insurance Company, as
successor to Valiant Insurance Company with respect
to the policies at issue in the litigation

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THE RANDALL GROUP, INC.,
RANDALL REALTY CORP., AND CTL
MANAGEMENT, INC.

Plaintiffs,

v

ST. PAUL FIRE AND MARINE
INSURANCE COMPANY, ROYAL
INSURANCE COMPANY OF
AMERICA, NORTHERN INSURANCE
COMPANY OF NEW YORK, VALIANT
INSURANCE COMPANY, STEADFAST
INSURANCE COMPANY, and DOES 1
through 30, inclusive,

Defendants.

CASE NO. 4:10-01793 SBA

**JOINT STIPULATION AND ORDER
REGARDING REMAND TO STATE
COURT**

AND RELATED CROSS-CLAIMS

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Defendants and cross-complainants Steadfast Insurance Company, Northern Insurance Company of New York, and Zurich American Insurance Company, as successor to Valiant Insurance Company (collectively "Zurich"), cross-defendant Arrowood Indemnity Company, as successor to the Royal Indemnity Company and formerly known as the Royal Insurance Company of America and erroneously named herein as the Royal Insurance Company of America ("Arrowood"), and cross-defendant St. Paul Fire and Marine Insurance Company ("St. Paul"), by and through their attorneys stipulate as follows:

1. Plaintiffs The Randall Group, Inc, Randall Realty Corp., and CTL Management, Inc. will be filing a dismissal with prejudice of their complaint in the instant action pursuant to the settlement agreement in the case entitled *Suncreek Sacramento Apartments, LLC; Commercial Ventures, Inc. v. The Randall Group, Inc. et al.* Sacramento Superior Court, Action No. 05AS02621 (hereinafter, "Underlying Action"). ;

2. St. Paul will be filing a dismissal with prejudice of its counter-claim in the instant action pursuant to the settlement agreement in the Underlying Action.

3. Once the above dismissals with prejudice are filed, the only pleading remaining in this case is Zurich's cross-claim against Arrowood and St. Paul.

4. Therefore, the undersigned parties stipulate that the Court remand this matter to the Superior Court of the State of California in and for the County of San Francisco upon the filing of both dismissals by Plaintiffs and St. Paul.

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1 IT IS SO STIPULATED:

2
3 DATED: November 12, 2010 MUSICK, PEELER & GARRETT, LLP

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5 By: /S/ DAVID TARTAGLIO
6 DAVID TARTAGLIO
7 Attorneys for Arrowood Indemnity Company,
8 as successor to the Royal Indemnity Company
9 and formerly known as the Royal Insurance
10 Company of America and erroneously named
herein as the Royal Insurance Company of
America

11 DATED: November 12, 2010 BOHM, MATSEN, KEGEL & AGUILERA, LLP

12
13 By: /S/ A. ERIC AGUILERA
14 A. ERIC AGUILERA
15 Attorneys for St. Paul Fire and Marine
Insurance Company

16 DATED: November 12, 2010 SINNOTT, PUEBLA, CAMPAGNE & CURET, APLC

17
18 By: /S/ BLAISE S. CURET
19 BLAISE S. CURET
20 Attorneys for Defendants and Cross-
21 Claimants Steadfast Insurance Company,
22 Northern Insurance Company of New York
and Zurich American Insurance Company, as
the policies at issue in the litigation

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ORDER

IT IS HEREBY ORDERED THAT the above stipulation is accepted. IT IS FURTHER HEREBY ORDERED THAT, having received the stipulations of dismissal filed by Plaintiffs and St. Paul, this matter is REMANDED to the Superior Court of the State of California in and for the County of San Francisco. The Clerk shall close the file and terminate any pending matters.

IT IS SO ORDERED.

Dated: November 30, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge

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